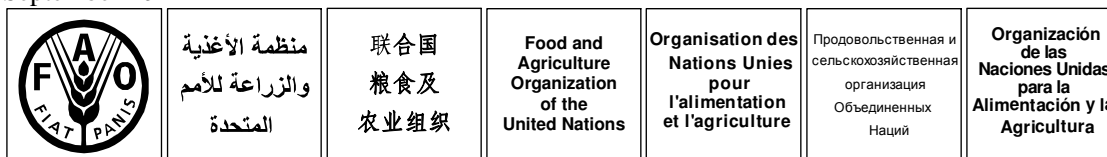


September 2012



COMMITTEE ON CONSTITUTIONAL AND LEGAL MATTERS

Ninety-fifth Session

Rome, 8 - 11 October 2012

**Revised Statutes of the Advisory Committee on Paper and
Wood Products (ACPWP)**

I. BACKGROUND

1. The Organization's programme of work in forest products currently benefits from the guidance of the Advisory Committee on Paper and Wood Products (ACPWP), a statutory body established under Article VI, paragraph 2 of the Constitution. The ACPWP is a merger of two previously existing commissions that had been established under Article VI, paragraph 2 of the Constitution namely : i) the Advisory Committee on Pulp and Paper¹ ; and ii) the Committee on Wood-based Panel Products.²
2. In 1996, pursuant to Council Resolution 2/111, the Council authorized the Director-General to broaden the mandate of the Advisory Committee on Pulp and Paper to include panel products and sawn wood, to change the title of the Advisory Committee on Pulp and Paper to Advisory Committee on Paper and Wood Products (ACPWP). It was further decided that the ACPWP should consist of not less than 15 and not more than 25 leading experts, familiar with problems of forest industries, designated by the Director-General, serving in their personal capacity and at their own expense, reflecting broadly the interest of producer and consumer countries and representative of the several regions. Finally the Council decided to abolish the Committee on Wood-Based Panel Products. (The text of the Council resolution is attached as Annex 1).
3. Since 1996 the ACPWP consists of not less than 15 and not more than 25 leading experts, familiar with problems of forest industries, designated by the Director-General pursuant to the Council Resolution 2/111. The Organization provides the secretariat services. Meetings are held annually.
4. The Committee addresses all issues related to forest industries, including forest and other resources, processing, training, environmental, economic, social and other aspects of private forest

¹ Established on the basis of Resolution 30/59 of the Tenth Session of the FAO Conference (1959).

² Established on the basis of Resolution 3/43 of the Forty-third Session of the Council (1964).

management and utilization relating to pulp and paper, panel products and sawn wood. Its main functions are to advise the Director-General on activities that could be undertaken in these fields by the Organization, and to enhance sustainable forestry development and the valorization of forests in developed and developing countries. Another important activity of the Committee is to verify relevant statistical and other information prepared by FAO and ensure its usefulness.

5. More particularly, the ACPWP provides for the Forestry Department the private sector views on policy processes relevant to the sustainable development in forestry and industries. In a self-assessment made at the ACPWP Working Meeting (Rome, 18 October 2011), participants concluded that the Committee was disassociated from the forestry governing bodies and priority-setting of the Organization. Furthermore, in a second Working Meeting (Rome, 27 February 2012), it was suggested that more efficient channels and mechanism to voice ACPWP views within FAO's forest policy work and in international policy processes were needed in order to take full advantage of the long lasting cooperation. At the same time, it was considered that ACPWP members should liaise more closely with their national delegates attending various governing bodies of the Organization to promote work and initiatives in their immediate areas of interest.

Proposal to renew the ACPWP

6. The aim of the renewal process is to ensure that the Committee continues to be responsive to emerging challenges and provide guidance and service in its area of competence. At its 53rd Session, (23 - 24 May 2012, New Delhi, India), the ACPWP reviewed the Secretariat's proposal "on the Renewal of ACPWP Strategy, Scope of Work and Membership".³ The Members welcomed a revised Strategy for the ACPWP in order to reflect better the particularly timely challenges that forest industries and also the Organization's Forestry Program is facing. The Committee, upon review of the proposal, also recommended that the Organization adopt the proposed new structure for the ACPWP reflecting better geographical balance, scope, new name, and more formal role in the Program of Work and Budget of the Organization.⁴

7. The proposal included the following revised Terms of Reference (TOR) to allow the Committee to assume a more effective role by:

- "a. Advising the Organization in concepts, projects, policy work and fundraising in the relevant forest sector work through bilateral or multilateral donor institutions and International Financial Institutions (IFI) and/or the Organization's Private Sector Strategy.*
- b. Advising on how to serve countries at their requests to solve specific problems in forestry, forest products and forest industries.*
- c. Suggesting new activities for FAO, and reviewing studies and statistical data compiled by FAO on forests, products and forest industries.*
- d. Suggesting for and organizing jointly with FAO international meetings and events.*
- e. Providing inputs to FAO Forestry priority setting and Programme of Work and Budget (PWB) in order to incorporate the private sector perspectives.⁵"*

³ Secretariat Proposal on the Renewal of ACPWP Strategy, Scope of Work and Membership, 53rd FAO Advisory Committee on Paper & Wood Products 23 – 24 May – Le Meridien, New Delhi, India (Item 1)

<http://www.fao.org/forestry/industries/9808/en/>

⁴ See the Meeting report of the 53rd Session of the FAO Advisory Committee on Paper & Wood Products 23 – 24 May – Le Meridien, New Delhi, India. <http://www.fao.org/forestry/industries/9808/en/>

⁵ See Footnote 3.

8. The new name proposed for the Committee is *Advisory Committee on Sustainable Forest-based Industries (ACSEFI)*. Regarding its structure, the following proposals were submitted for review to the ACPWP members:

forward the draft Resolution to the Council for approval.

The Chairperson and the Vice-Chairperson are selected from among the ACPWP private sector members, and they lead the ACPWP work with support from the ACPWP Secretary designated by FAO.

- a. A 4-6 person Steering Committee (SC) is established to meet regularly in person and in a virtual working space for reviewing meeting agendas, supporting the ACPWP Chairperson, and providing guidance for the Secretary.
- b. Thematic Working Groups will be established among the ACPWP member association experts and FAO to address the key Working Agenda subjects.
- c. More significant Steering Committee and ACPWP inputs would be solicited every two years to inform COFO, PWB, resource allocation and Medium Term Plan of FAO.

9. Regarding the reporting procedures, the ACPWP would continue to report through the Director-General to the relevant Governing Bodies of the Organization, including the Committee on Forestry.

10. The implementation of the proposed changes in the ACPWP would not imply any additional costs to the Organization. Total annual costs for the ACPWP, including meeting facilities, travel, communications and documentation, amount currently at USD30,000.

The 21st Session of the Committee on Forestry, Rome 24-28 September 2012

11. COFO supported the new Terms of Reference and the renewed approach of the ACPWP, emphasizing the importance of linkages with and inputs from the private sector to the work of FAO and COFO.

12. The Committee recommended FAO to consider similar arrangements and bodies at regional levels to streamline and avoid duplication of efforts and including important non-wood forests products such as bamboo, rattan or cork.

II. PURPOSE OF THE DOCUMENT

13. The Committee is invited to review the proposed revised Statutes of the Advisory Committee on Paper and Wood Products (ACPWP).

III. PROPOSED REVISED STATUTES OF THE ACPWP

14. The draft revised Statutes include provisions on membership, objectives, terms of reference, an executive body or “steering committee”, sessions, subsidiary bodies, reporting procedures, observers, participation of international organizations and amendments to the Statutes of the ACPWP in line with the recommendations made at the 53th Session of the ACPWP and at the 21st Session of

COFO⁶, and with the principles set by the Conference for bodies established under Article VI of the Constitution.⁷

IV. SUGGESTED ACTION BY THE COMMITTEE

15. The Committee is invited to :
 - a. review the draft Council Resolution containing the revised Statutes of Advisory Committee on Paper and Wood Products, as set out in Annex 2, and make such comments and observations thereon as appropriate; and
 - b. forward the draft Resolution to the Council for approval.

⁶ COFO/2012/9.3, Recommendations of the Regional Forestry Commissions for FAO, Appendix B

⁷ See *Principles and Procedures which Should Govern Conventions and Agreements Concluded under Articles XIV and XV of the Constitution and Commissions and Committees Established under Article VI of the Constitution, Part O of Volume II of the Basic Texts of the Organization.*

ANNEX 1**APPENDIX C TO CL 111/5
REPORT OF THE SIXTY-FIFTH SESSION OF THE COMMITTEE ON
CONSTITUTIONAL AND LEGAL MATTERS (CCLM)
(ROME, 9 SEPTEMBER 1996)**

67. The Council adopted the following Resolution:

Resolution 2/111

**BROADENING THE MANDATE OF THE ADVISORY COMMITTEE ON PULP
AND PAPER AND ABOLITION OF THE COMMITTEE ON WOOD-BASED PANEL
PRODUCTS**

THE COUNCIL,

Recalling that, pursuant to Conference Resolution 30/59 of 1959, the Director-General established, under Article VI.2 of the Constitution, an Advisory Committee on Pulp and Paper to advise him on FAO's work in the field of pulp and paper industries and related matters;

Recalling that, pursuant to Council Resolution 3/43 of 1964, the Director-General established, under Article VI.2 of the Constitution, a Committee on Wood-Based Panel Products to advise him on matters related to wood-based panel industries;

Noting that the Committee on Forestry recommended, at its Twelfth Session, the expansion of the work of the Advisory Committee on Pulp and Paper into other forest product areas;

Considering that the expansion of the mandate of the Advisory Committee on Pulp and Paper would result in an overlapping with the mandate of the Committee on Wood-Based Panel Products;

Decides to authorize the Director-General to broaden the mandate of the Advisory Committee on Pulp and Paper to include panel products and sawn wood;

Further decides to change the title of the Advisory Committee on Pulp and Paper to Advisory Committee on Paper and Wood Products (ACPWP);

Further decides that the Advisory Committee on Paper and Wood Products shall consist of not less than 15 and not more than 25 leading experts, familiar with problems of forest industries, designated by the Director-General, serving in their personal capacity and at their own expense, reflecting broadly the interest of producer and consumer countries and representative of the several regions;

Further decides to abolish the Committee on Wood-Based Panel Products.

Rome, 10 October 1996

ANNEX 2

DRAFT COUNCIL RESOLUTION CONTAINING THE REVISED STATUTES OF ADVISORY COMMITTEE ON PAPER AND WOOD PRODUCTS

THE COUNCIL,

Recalling that, pursuant to Conference Resolution 30/59 of 1959, the Director-General established, under Article VI, paragraph 2 of the Constitution, an Advisory Committee on Pulp and Paper to advise him on FAO's work in the field of pulp and paper industries and related matters;

Recalling that, pursuant to Council Resolution 3/43 of 1964, the Director-General established, under Article VI, paragraph 2 of the Constitution, a Committee on Wood-Based Panel Products to advise him on matters related to wood-based panel industries;

Recalling that, pursuant to Council Resolution 2/111 of 1996, the Council authorized the Director-General to: i) broaden the mandate of the Advisory Committee on Pulp and Paper to include panel products and sawn wood; ii) changed the title of the Advisory Committee on Pulp and Paper to Advisory Committee on Paper and Wood Products (ACPWP); and iii) further decided that the Advisory Committee on Paper and Wood Products shall consist of not less than 15 and not more than 25 leading experts, familiar with problems of forest industries, designated by the Director-General, serving in their personal capacity and at their own expense, reflecting broadly the interest of producer and consumer countries and representative of the several regions;

Recognizing the importance of the findings of the ACPWP Working Meetings, held in Rome respectively on 18 October 2011 and 27 February 2012, which drew the attention of the Director-General to the growing importance of the Committee on advising the Organization on the dynamic diversification of the forest-based industry to respond more comprehensively to the global challenges on sustainable development, food security, and opening pathways to bio-economy with new product streams and innovations;

Recognizing the relevance of private forest owners and forest-based industries in encouraging proper management and custodianship of forests, in fostering environmental resilience, in generating green jobs for rural communities, and in raising living standards and eradicating hunger in the developing nations;

Concurring with the importance attached by the 53rd Session of the FAO Advisory Committee on Paper and Wood Products held in (India, 23 -24 May, 2012), to the potential contribution of forest industries in fulfilling the Organization's new Strategic Objectives in which forestry and forest-based products play a vital role, and to the effective role of private forest growers and the industry in the mitigation of, and adaption to, climate change, and in improving energy security;

Noting that the Committee on Forestry (COFO) recommended, at its 21st Session, in the context of the new FAO Strategic Framework, for enhancing inputs to and implementing the priorities of the FAO Programme of Work and Budget (PWB) in forestry, and emphasizing the importance of linkages with

and inputs from the private sector to the work of FAO and COFO, the revision of the Statutes of the Advisory Committee on Paper and Wood Products (ACPWP) including its mandate, name and membership;

Decides to authorize the Director-General to broaden the mandate of the Advisory Committee on Paper and Wood Products (ACPWP) into sustainable production and consumption of forest industry products, and on consistent support on related policy work and regulatory matters;

Decides to change the name of the Advisory Committee on Paper and Wood Products to Advisory Committee on Sustainable Forest-based Industries (ACSFI);

Further decides to promulgate, under Article VI, paragraph 2 the Statutes of the Advisory Committee on Sustainable Forest-based Industries (ACSFI) hereinafter referred to as “the Committee” as follows:

Article I Membership

The Committee shall consist of not less than 15 and not more than 30 leading experts, familiar with problems of forest industries, designated by the Director-General, serving in their personal capacity and at their own expense, reflecting broadly the interests of producer and consumer countries and representative of all the regions.

Article 2 Objectives

1. The Committee shall advise the Director-General on FAO’s programme in the field of sustainable production and consumption of forest industry products, and on consistent support on related policy work and regulatory matters.
2. The Committee shall assist the Organization in identifying key issues across the forest industry value chains related to the economic, environmental, social and cultural aspects of private forest ownership, sustainable forest management, harvesting, processing, investments, trade, consumption, and associated benefits in carbon balance and in other ecosystem services.
3. The Committee shall seek to maximize the potential of multiple forest sector benefits from innovations and more efficient small, medium and large-scale processing of mechanical, chemical and energy products of roundwood, logging residues, recycled forest products and industry waste.
4. The Committee shall aim at improving communication, knowledge and information exchange and training on best practices between Members, private sector experts and the Organization.

Article 3 Terms of Reference

The terms of reference of the Committee shall be:

- a. to advise the Director-General of the Organization on concepts, projects policy work and fundraising in relevant forest sector activities through bilateral or multilateral donor institutions, International Financial Institutions and private sector organizations in accordance with the FAO Strategy on Partnerships with the Private Sector;

- b. to advise and provide guidance on how FAO may better serve Member Nations at their request to solve specific problems in forestry, forest products and forest industries;
- c. to suggest new activities for the Organization, and review studies and statistical data compiled by the Organization on forests, products and forest industries;
- d. to suggest and organize jointly with FAO international meetings and events;
- e. to provide input to assist the Organization in formulating future work programmes and in identifying priority areas of work in order to incorporate the private sector perspectives; and
- f. to report on its work and in particular on the views of the private sector at each session of the Committee on Forestry (COFO).

Article 4 Steering Committee

1. The Committee shall elect its own Chairperson and Vice-Chairperson from among its members, who shall remain in office until the election of a new Chairperson and Vice-Chairperson.
2. The Committee shall elect a Steering Committee from among its members, which, in addition to the Chairperson, shall consist of four to six members.
3. Between sessions, the Steering Committee shall assist the Chairperson of the Committee, and facilitate consultation with members in relation to agendas and other matters, and perform other actions as the implementation of the work programme of the Committee may require.

Article 5 Sessions

The Director-General of the Organization in consultation with the Chairperson of the Committee shall convene periodic sessions of the Committee and shall determine their site and date.

Article 6 Observers

1. Observers from Member Nations, Associate Members and non Member Nations may be invited to attend the sessions of the Committee, upon their request, in an observer capacity, in accordance to the relevant provisions of Basic Texts of the Organization. They shall be invited because of their special qualifications.
2. Representatives of international financial institutions, civil society, including the private sector may be invited by the Committee to attend a session of the Committee and may, with the approval of the Chairperson of the Committee, participate in the discussion of one or more specific items of the agenda of a session. Representatives shall be invited to a session - because of their special qualifications and any other considerations relevant to the work of the Committee.

Article 7 Participation of International Organizations

Participation of international organizations in the work of the Committee and the relations between the Committee and such organizations shall be governed by the relevant provisions of Constitution and General Rules of the Organizations adopted by the Conference or of the Organization as well as by the principles governing relations with international organizations, as adopted by the Conference. All such relations shall be dealt with by the Director-General of the Organization.

Article 8 Secretary

The Secretary of the Committee shall be designated by the Director-General of the Organization and shall be administratively responsible to him.

Article 9 Subsidiary bodies

1. The Committee may establish sub-committees or working groups on problems of major importance or of specialized nature.
2. Establishment of any subsidiary body shall be subject to the availability of the necessary funds in the budget of the Organization.

Article 10 Reporting

1. The Committee shall submit to the Director-General reports on its activities, recommendations and conclusions including, when appropriate, statements of minority views, at such appropriate intervals as to enable the Director-General to take them into consideration when preparing the Programme of Work and Budget of the Organization and other submissions to the governing bodies of the Organization, including the Committee on Forestry.
2. Recommendations having policy or programme implications for the Organization shall be brought by the Director-General to the attention of the Committee on Forestry.

Article 11 Expenses

1. Expenses relating to the services of each representative on the Committee and his or her attendance at sessions of the Committee shall be borne by the Member Nation or Associate Member having appointed him or her.
2. Expenses incurred by observers in connection with attendance at sessions of the Committee shall be borne by their respective nation and organization.
3. The necessary secretariat expenses for the Committee shall be borne by the Organization.

Article 12 Rules of Procedure

The present statutes may be supplemented by Rules of Procedure for the Committee. Such Rules of procedure which shall be in conformity with the General Rules of the Organization, may be adopted and amended by the Committee but shall come into force only upon approval by the Director-General.

Article 13 Amendments to Statutes

The Committee may propose amendments to the present statutes. Such proposals shall be transmitted to the Director-General for submission to the Conference or Council as appropriate.